

least one controller that selects a path for transmitting the out of band control command based upon a selection criteria that enables the selected path to be other than the target path identified by the out of band control command.

As discussed above in connection with claim 1, the prior art of record fails to teach a host computer that executes an out of band control command, let alone a host comprising a controller that selects a path for transmitting the out of band control command using a selection criteria that enables the selection of a path other than the target path identified by the out of band control command. Therefore, it is respectfully asserted that the rejection of claim 15 (as well as claims 16-22 that depend therefrom) over the prior art of record is improper, and should be withdrawn.

### **CONCLUSION**

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicants' attorney at the telephone number listed below to discuss any outstanding issues relating to the allowability of the application.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825

Respectfully submitted  
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Docket No. E00295.70136.US  
Date: November 5, 2002  
x11/20/02x